

CALIFORNIA

HUNTERS POINT SHIPYARD

Ex-workers say fraud rampant at Navy cleanup

By J.K. Dineen

The cleanup of radioactive contamination at the Hunters Point Shipyard was marred by widespread fraud, faked soil samples, and a high-pressure culture where speed was valued over accuracy and safety, according to four former site workers.

On Thursday, the four whistle-blowers, including a radiation safety officer who reported directly to the Nuclear Regulatory Commission, gathered with environmentalists to describe the problems with the cleanup, which has cost the federal government \$600 million. In the background, construction crews were at work redeveloping the property, where 1,200 units of housing, millions of square feet of commercial space and hundreds of acres of parks are planned.

David Anton, an attorney for the workers, said the Navy and the Environmental Protection Agency — as well as the district attorney and state attorney general — should immediately launch investi-

tions into the cleanup, a process that should include interviews with former workers and the retesting of the soil at the site. Also, the nonprofit Greenaction for Health and Environmental Justice filed a petition with the NRC to revoke the license of contractor Tetra Tech, which oversaw the cleanup at the Superfund site.

"Talk to the workers who were involved in the fraud. Find out what fraud was taking place, and then test and sample based on reality," Anton said. "The Navy has fought at virtually every step a real look at contamination at Hunters Point."

Questions over the accuracy of the soil tests emerged in October 2012, when the Navy discovered that some results were inconsistent with results from previous samples collected in the same areas. While the dirt in question was identified as having been collected from beneath a lab used to conduct radiation tests on animals, an internal investigation found that in at least 366 cases it had been pulled from areas already given a clean bill



Paul Cherni / The Chronicle

David Anton, attorney for four whistle-blower former workers, identifies the locations where contaminated radioactive soil was detected at the old Hunters Point Naval Shipyard in S.F.

for radiological contamination.

On Thursday, the former workers said soil samples from areas known to be highly contaminated were switched with dirt gathered from the foundation of an old movie theater, where there were minimal toxic chemicals. Anton alleges that at least 2,500 samples were faked.

Robert McClain, a radiation technician who worked at the site in 2005, said Tetra Tech management ordered him to increase the speed of a conveyor-belt system he operated — even though the soil carried by the belt could not be

properly tested for contaminants at the faster speed.

"Management was production-driven," he said. "They wanted to run it faster so they could get the soil moved. I was told by Tetra Tech officials that I didn't know what I was doing. I have 25 years experience in the nuclear power business."

In a statement, Tetra Tech spokesman Charlie MacPher-son said the company "emphatically denies the allegations made by individuals at today's news conference that Tetra Tech engaged in a cover-up of fraud on the Hunters

Point Naval Shipyard."

FivePoint Holdings, the company developing the property, said its "utmost concern is the safety of our residents and employees. We are confident in the oversight process of the Environmental Protection Agency and other local and state agencies to insure when we take title of a parcel it is up to the standard consistent with the designated uses."

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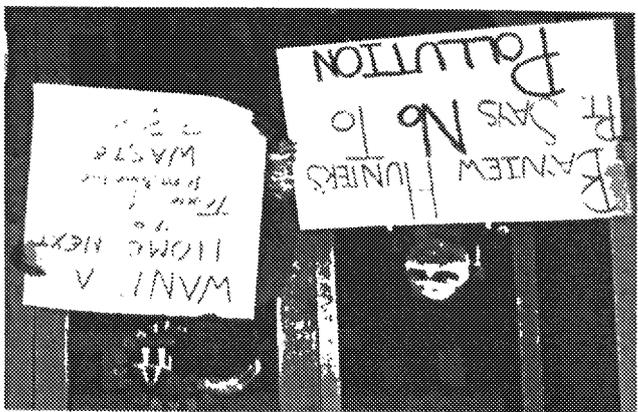
In 1997 West Oakland community group Chester Street Block Club Association helped form Greenaction and we worked together to fight for cleanup of toxic waste left by AMCO Chemical. In 2004, Greenaction and CSBCA succeeded in getting the site placed on the Superfund National Priorities List – and we battled EPA to ensure the site would be cleaned up properly and safely. We are proud to have worked with CSBCA and the West Oakland Environmental Indicators Project to achieve victory. On March 18th Greenaction, residents & EPA held a celebration as the cleanup equipment was turned on! We will continue to watchdog the cleanup.

Victory in West Oakland! We Never Gave Up!

The government and Lennar plan to leave large amounts of toxic and radioactive contamination in place near San Francisco Bay's waterfront threatened by rising sea levels from climate change. We are mobilizing residents to demand a full cleanup of contamination along the waterfront, and to oppose gentrification that will displace people of color residents from their community.

At a big Greenaction press conference on June 29th, former Hunters Point Shipyard Superfund site workers blew the whistle on contractor Tetra Tech for falsifying potentially thousands of radioactive soil samples and other improper actions. The falsification, and the hiring of CH2M Hill that also faked monitoring data, raises serious questions about "cleanup" of the site which is being turned over to the City and Lennar/Five Points for a luxury development. Greenaction has filed a Petition with the Nuclear Regulatory Commission calling for revocation of Tetra Tech's license.

Hunters Point Radioactive Scandal Erupts!



Summer 2017 Frontlines of Environmental Justice

Energy Fuels LLC's White Mesa Uranium Mill pollutes the air, water, land and sacred sites of the adjacent White Mesa Ute Community of the Ute Mountain Ute Tribe with radioactive contamination. Located in southern Utah, this is the last uranium mill in the U.S. It has been kept operating by state and federal agencies despite pollution and destruction of ancient sacred and culturally significant sites. Greenaction conducted an intensive grassroots leadership academy for tribal members, and

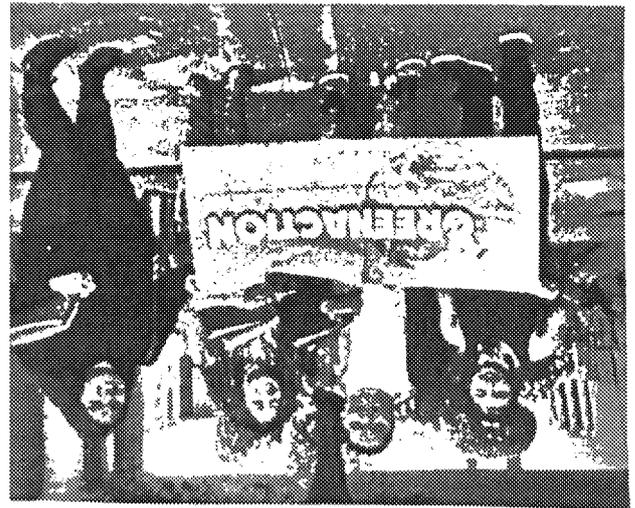


Grassroots leaders from urban, rural and Indigenous communities joined the California Environmental Justice Coalition and Greenaction April 21st for an Earth Day protest at USEPA Region IX in San Francisco. Led by Greenaction & CEJC, over 100 grassroots leaders spoke to dozens of agency officials prior to the rally. Youth from frontline communities led us in a march to the Federal Building to denounce Trump's racist, anti-environment, anti-science agenda, and demanded justice.

Communities, Greenaction & California EJ Coalition Unite to Resist Trump at Earth Day Action for Environmental and Climate Justice



joined them in a Protest and Spiritual Walk from the community to the mill on May 13th. We joined tribal members in testifying at the State's "public hearings" in June, calling for a denial of new permits and protection of the health and sacred sites of the Ute people.



Empowering Youth & Adults as EJ Leaders

Greenaction's Environmental Justice Leadership Academies are empowering residents of Bayview Hunters Point in San Francisco, Gonzales in the Salinas Valley, Kettleman City in the San Joaquin Valley, and the White Mesa Ute Community in Utah.

In BVHP, youth learn about climate change, sea level rise, pollution and health impacts. On July 1st we began our fourth Academy in Gonzales, where youth from farmworker families gain leadership and organizing skills and learn about sustainable agriculture, pesticides, environmental health and justice. Kettleman City youth are being empowered as the new generation of activists to continue the fight for health and justice. In April at White Mesa we conducted an Academy to empower tribal members with skills and knowledge to stop the radioactive threat from the uranium mill.

California Environmental Justice Coalition
Statewide Conference August 12-14th
Sacramento, CA www.cejcoalition.org

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*Judy Brady Memorial service:
Sunday, August 27, 2017 at 11:30AM
Woman's Building, 3543 18th St
San Francisco, CA*

Kettleman City Civil Rights Victory Bringing About Historic Changes in State Policies

Since signing our precedent-setting federal civil rights settlement last August, Greenaction and El Pueblo of Kettleman City have been in monthly implementation meetings with CalEPA/Department of Toxic Substances Control to ensure they comply. The settlement requires the state to adopt new policies by December to ensure civil rights compliance in their permit and regulatory processes. It also requires them to adopt new policies to ensure non-English speakers have access and meaningful civic engagement opportunities. These policies will make it harder for the state to use racially discriminatory permit processes that enable corporate polluters to harm low income people of color communities that bear the brunt of pollution and injustice.

Greenaction & Mohave Elders of the Colorado River Indian Tribes Oppose Toxic Polluter

USEPA has proposed issuing permits to toxic polluter Evoqua Technologies that has operated on the Colorado River Indian Tribes reservation for 26 years without proper permits or an Environmental Impact Study. Greenaction and the Mohave Elders spoke out at USEPA's public hearing, blasting EPA for lying to tribal members and the tribal government about the facility and allowing sacred sites to be desecrated by the toxic emissions. Greenaction has submitted extensive written comments documenting why the permit must be denied.

In loving memory, Judy Brady 1937-2017

Greenaction joins family and friends in mourning the passing of Co-Founder and Board member Judy Brady. Judy was a life-long feminist and social justice activist. She passed away on May 14th from pneumonia and complications of COPD. As a breast cancer survivor, in 1991 Judy wrote a landmark book "1 in 3: Women Confront An Epidemic" that emphasized the root environmental causes of cancer in modern industrial capitalism, rather than blaming the victim. Judy was a fierce critic of the "cancer industry" and was featured in the film Pink Ribbons, Inc. in 2011, which exposes the hypocrisy and manipulative nature of corporate public relations campaigns by polluting industries. Judy's love of life and passion for justice, and disdain for those who sell out, will always inspire us to keep up the struggle and remain true to our principles.

GREENACTION
 For Health & Environmental Justice

May 23, 2017

Michael Li

San Francisco Planning Department/Environmental Planning Division
 1650 Mission Street Suite 400
 San Francisco, CA 94103

RE: India Basin Mixed Use Project Draft EIR

Dear Mr. Li,

On behalf of our many members and constituents in Bayview Hunters Point, Greenaction for Health and Environmental Justice is writing to raise several serious concerns about the India Basin Mixed Use Project. We call on your agency to immediately remedy serious defects in the Scoping and DEIR process, including the refusal of your agency to provide meaningful opportunities for public participation to non-English speaking residents.

On June 7, 2016, Greenaction wrote to the Planning Department about several issues related to the Scoping and EIR processes, including the English-only notices associated with the environmental review process. We asked "if the notice and/or environmental documents were prepared and provided in any language other than English, as it is vital that all members of the community are informed about what is proposed and how they can provide input. If such translations were not provided, we hereby request a notice and underlying documents immediately be made available in other relevant languages spoken in the community."

On June 9, 2016, Mr. Bollinger responded to our June 7th communication, rejecting our request for translation. Mr. Bollinger stated in relevant part:

Regarding translation services, we can provide that service at the Planning Commission DEIR public hearing if requested. We can also work with individuals over the phone to answer questions regarding the environmental review process and analysis we publish. We do not have the resources to translate every page of analysis into multiple languages. Any individuals that need translation services can go through the Mayor's Office of Disability: <http://sf.gov.org/mod/language-access-ordinance>

The refusal of the Planning Department to translate the notice and any part of the associated environmental review documents, despite the fact that the affected community has many non-English speaking residents (particularly Chinese and Spanish-speaking), is unacceptable as it denies them their lawful right to meaningful participation in public processes including the Scoping and EIR process. The Planning Department clearly has the resources, as well as the legal and moral responsibility, to translate the public notices and at least translate an extended executive summary of the Scoping/Notice of Preparation, DEIR, EIR and other key documents. Furthermore, it is insulting to San Francisco residents who are non-English speaking or limited English speaking for the Planning Department to respond by saying: "Any individuals that need translation services can go through the Mayor's Office of Disability..."

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It is ironic that the Planning Department in the Sanctuary City of San Francisco apparently considers speaking a language other than English as a disability. It is a human right.

We are also concerned that the Planning Department apparently plans on releasing the Draft Environmental Impact Report any day. In addition to the language access issues described above, we have serious concerns that the DEIR will be inadequate due to the lack of information and analysis about the extent of contamination at the project site.

We understand that some testing for toxic contamination has been conducted. We also understand that test results were not considered in development of the DEIR as these test results are just being analyzed now. We further are concerned that no testing was conducted for possible radioactive contamination, despite the clearly known fact that the adjacent Hunters Point Naval Shipyard Superfund site is heavily contaminated with radioactive waste from decades of military and industrial polluting activities. The lack of data immensely relevant to a DEIR undermines that adequacy of the DEIR and prevents the public from being able to make informed comments – denying us and others our lawful right to meaningful civic engagement in the process.

We therefore call on the San Francisco Planning Department to take the following actions to ensure that the environmental review process is legitimate, ensures full meaningful civic engagement opportunities for all people including people of color and non-English speaking residents, and complies with state and federal civil rights laws:

- (1) Start the process over, and do it properly, starting with the Scoping/Notice of Preparation;
- (2) Translate all notices associated with the project into languages spoken by Bayview Hunters Point residents, including Spanish and Chinese;
- (3) Translate all environmental review documents, or at a minimum produce and translate extended Executive Summaries of all documents; and
- (4) Require that the entire site be thoroughly tested for hazardous and radioactive contamination, with test results analyzed and made publicly available, prior to the creation of a DEIR document.

We request a meeting with your department in the next week to discuss these urgent matters.

Sincerely,



Bradley Angel, Executive Director

cc Nicole Avril, Recreation and Parks Department
Bayview Hunters Point Mothers and Fathers Committee
Bayview Hunters Point Environmental Justice Response Task Force
Department of Toxic Substances Control
APRI
PODER